

## **PART NINE**

### **TITLE THREE - WATER**

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#### **ARTICLE 921 GENERAL PROVISIONS**

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#### **CROSS REFERENCES**

Water Supply -- See 3rd Class §3501-3572 (53 P.S. §38501-38572)

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#### **921.01 BUREAU OF WATER RESOURCES**

The Bureau of Water Resources, its Manager and all assistants and employees, shall be under the charge and supervision of the Director of Public Works, and it shall be his duty to enforce all laws and ordinances relating thereto. (1331, Art I 3/13/22; 13145 §1 8/6/92)

#### **921.02 FRONTAGE TAX; AUTHORITY**

The Bureau of Water Resources fixes the rate per foot for frontage tax to be charged against all properties fronting on the various streets and avenues in which the water mains are laid, as provided in Section 3585, Article XXXV of the Act of Assembly of 1931. (11125 §1 3/21/67; 13145 §1 8/6/92)

#### **921.03 RESPONSIBILITY FOR SERVICE PIPES**

Service pipes connecting the street main to any building or property shall be installed and paid for by the owner thereof. The owner of any building or property shall be responsible for service pipe maintenance from the curb stop or control valve to the building or property. (9978 §1 11/27/62; 13145 §1 8/6/92)

#### **921.04 WATER CHARGES**

The payment and collection procedures for the use and consumption of water shall be established by the Director of Administration and Finance. (13145 §1 8/6/92)

#### **921.05 FIRE LINES OR SPRINKLING SERVICE**

No connection for a fire line or sprinkling service shall be made until a permit has been issued by the Bureau of Water Resources. (13145 §1 8/6/92)

All persons now having fire service installed or who shall install it in the future, shall be required to furnish the Bureau of Water Resources with an accurate map of the system in use on the property where the same is installed. (1331, Art. VI §2 3/13/22)

#### **921.06 INVESTIGATION OF WASTE; REFUSAL TO REPAIR**

The executive head of the Bureau of Water Resources, or any other person acting under an order from him, is authorized and empowered to inquire at any dwelling or place where any unnecessary waste of water occurs into the cause of the same. If the waste occurs from need of repair in the pipe or other fixtures, and if the owner or occupier thereof shall neglect or refuse, upon notice given, to have the necessary repairs made forthwith, the inspector of leaks, acting under the order of the executive head, will shut off the water leading to such place. No one will turn on the water before the necessary repairs are made. The cost to the City of turning off the water shall be fully paid. (13145 §1 8/6/92)

#### **921.07 APPLICATION FOR SUPPLY OF WATER OR EXTENSION; ISSUANCE OF PERMIT**

Every person or persons who may desire a supply of water or to make additional extensions for the use thereof other than those already provided for in their permit, will make application to the Bureau of Water Resources, setting forth the location of the house or premises applied for and describing the different purposes for which the water is to be used, so as to enable the Bureau to fix the price for the quantity of water so required in accordance with the list of prices fixed by Council. The applicant will pay the amount as established in the Administrative Information Manual (AIM). (13145 §1 8/6/92)

Every person or persons having attachments of any kind made without first complying with the requirements of this Section shall be subject to the penalties hereinafter provided. (1131, Art. IX §1 3/13/22)

#### **921.08 UNAUTHORIZED CONNECTIONS**

Any plumber or other person, excepting those chosen for that purpose, who shall introduce a ferrule into any public or private pipe, or form any connection or communication whatever with such pipes, or break ground for that or any other similar purpose in the public streets or alleys, or introduce or use a ferrule of a larger diameter than is specified in his permit, will be subject to the penalties hereinafter provided. (1331, Art. IX §4 3/13/22)

#### **921.09 CONNECTING PIPES FROM MAINS TO CURB STOPS**

All the connecting or conducting pipes from mains to curb stops shall be either ductile/cast iron, or "K" weight copper. (13145 §1 8/6/92)

#### **921.10 CURB STOPS** (13145 §1 8/6/92)

Such pipes will have a curb stop affixed thereto, which shall be of a pattern to be approved by the Bureau of Water Resources, within the limits of the sidewalk or pavement, at a distance of twelve (12") inches from the curb.

All persons who may be supplied with water from a branch connecting with a private pipe will have a curb stop affixed to the branch as near as conveniently may be to such private pipe, so as to stop the supply of water through the branch whenever requisite, without interrupting the supply of other persons connected therewith. All persons who may be supplied with water from a pipe or having a branch connected therewith, as aforesaid, will each, in like manner, have curb stops affixed for the purpose aforesaid, and in case of neglect or refusal to comply with each or any of the aforesaid requirements, will be subject to the penalties hereinafter provided. (1331, Art. IX §6 3/13/22)

To every curb stop placed in the manner directed and specified herein, there shall be left an opening, of at least four (4") inches square or, if round, of that diameter, which shall be protected with a suitable cockbox, and securely covered with an iron top in such a manner that the situation of the curb stop may be readily distinguished, which covering, wherever placed, shall be even with the surrounding pavement or level with the surface. No owner or occupier of any building, lot or premises into which the water may have been introduced, shall neglect to comply with this provision or shall suffer such opening, if in any street or alley, to remain uncovered, he, she or they so offending, shall, upon conviction, be subject to the penalties hereinafter provided. (1331, Art. IX §7 3/13/22)

#### **921.11 CHARGES FOR INSTALLING CORPORATION STOPS**

The rates for installing corporation stops will be established by the Administrative Information Manual (AIM). (13145 §1 8/6/92)

#### **921.12 USE OF WATER FROM ANOTHER'S PREMISES**

If any person other than those who may be actual occupiers of a building, lot of ground or premises into or for the particular accommodation of which, according to the permit issued, water may have been introduced, will resort to any hydrant or pump, and use the water therefrom, without a regular permit from the Bureau of Water Resources, such person so offending will be subject to the penalties hereinafter provided. The occupier of any hydrant will, for every time he or she permits the use of his or her hydrant to any person disconnected from their families who holds no permit, upon conviction, likewise be subject to such penalties. (1331 Art. IX §10 3/13/22)

### **921.13 ENTRY ON PREMISES FOR INSPECTION OR CUTTING OFF WATER**

Whenever it may be deemed necessary by the head of the Bureau of Water Resources to inspect or cause to be inspected the water service pipes or fixtures in any building, lot of ground or premises into or through which pipes for conducting a supply of water may be laid, it will and may be lawful for the head of the Bureau, or his duly authorized agent, to enter at all reasonable times into such building or premises for the purpose of examining the pipes of conduit, and ascertaining whether the same, or the cocks or fixtures thereof, are in proper order and repair, or for cutting off the pipes of communication when delinquencies occur in payment of the rent. Any person who will obstruct or oppose either of such officers in making such examination or in detaching the pipes will be subject to the penalties hereinafter provided. (1331, Art. IX §12 3/13/22)

### **921.14 USE FOR BUILDING PURPOSES**

No person will use water from public or private pipes for building purposes of any kind without first having obtained a permit from Code Enforcement. The Clerk will assess the fee or charge for the use of the water in accordance with the price list furnished him by Council. Any person or persons who will use water without having first obtained such permit shall, upon conviction, be subject to the penalties hereinafter provided. (1331, Art. IX §13 3/13/22; 13145 §1 8/6/92)

### **921.99 PENALTY**

Any person violating the provisions of this Article shall be fined not more than One Thousand (\$1000.00) Dollars or imprisoned not more than ninety (90) days or both. (11995 §1 2/21/73; 13145 §1 8/6/92)

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## **ARTICLE 923 WATER SERVICE PIPES**

- 923.01 Definitions
  - 923.02 Maintenance by Bureau of Water Resources
  - 923.03 Maintenance Regulations
  - 923.04 Curb Boxes, Lids or Covers
  - 923.05 Separate Service Pipe for Each Dwelling
  - 923.06 Multiple Dwelling Service Pipes
  - 923.07 Size of Pipes
  - 923.08 Rules and Regulations
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### **923.01 DEFINITIONS**

The following words and phrases, when used in this Article, shall have the following meanings:

1. **Control valve** will mean any control valve for sleeve and valve or tee connection attached to the water main by means of which water supplied to a lot, dwelling or property may be shut off, and is installed at the sleeve or tee connection of the service pipe in the cartway of the streets of the City or suburban areas controlled by the City, ranging in size from two (2") inches to and including twelve (12") inches in diameter.
2. **Corporation cock** will mean any device directly attached to the water mains to which the service pipes are connected, ranging in size from one (1") inch to and including two (2") inches in diameter.
3. **Curb box** will mean an iron adjustable device, with removable lid or cover, marked "Water", indicating and furnishing access to the curb stop, installed so that the lid or cover is at all times flush with the curb, lawn or sidewalk.
4. **Maintenance** will mean maintenance of all service pipes for the use of water between the City water main and the curb stop on the sidewalk presently laid under the cartway of the streets of the City and adjoining suburban areas served with City water by agreement with Council, in which the water mains have been laid according to rules and regulations of the Bureau of Water Resources and by agreement that upon their completion they become the property of the City.
5. **Person** will mean a natural person, firm, partnership, limited partnership, corporation or unincorporated association. (7945 §5 12/6/55)
6. **Service pipe** will mean a pipe leading from the water main to the curb stop for the use of water to a lot, dwelling or property receiving water service, ranging in size from one (1") inch to and including twelve (12") inches in diameter.
7. **Sleeve and valve connections** will mean any device directly attached to the water mains to which the service pipe is connected, ranging in size from two (2") inches to and including twelve (12") inches in diameter.

8. **Curb Stop** will mean any device by means of which water supplied to a lot, dwelling or property may be shut off, and is attached to the service pipe on the sidewalk at or near the curb line ranging in size from one (1") inch to and including two (2") inches in diameter.

9. **Tee connections** will mean any attachment to the water mains to which a service pipe is connected, ranging in size from two (2") inches to and including twelve (12") inches in diameter.

10. **Valve casing, lid or cover** will mean any iron casing placed over the valve at the point of attachment to the sleeve or tee connection in the street, installed so that after placing the lid or cover, it is flush with the roadway. The lid or cover over the control valve will be removable, marked on top with the word "Water" indicating and furnishing access to the control valve.

### **923.02 MAINTENANCE BY BUREAU OF WATER RESOURCES**

The Bureau of Water Resources, in the Department of Operations, is authorized to take over the maintenance of all service pipes for the use of water and directed to enforce all rules and regulations necessary for maintaining the same. (7945 §12 12/6/55)

### **923.03 MAINTENANCE REGULATIONS**

A. All service pipes, regardless of size, corporation cocks, sleeve and valve and tee connections, curb stops, curb box, control valves, lids or covers presently laid or to be laid in the streets of the City and suburban areas and that portion of the sidewalk used for the curb box, will be maintained, repaired or replaced by the Bureau of Water Resources, and will at all times be under the supervision of the Director of Operations.

B. The workmanship and materials used will conform with the Plumbing Code of the City. (13145 §1 8/6/92)

C. Laying or relaying of water mains will comply with the standard regulations for this purpose as set forth by the Bureau of Water Resources.

D. Relaying or repairing of service pipes presently laid or to be laid, will be made to the size pipe presently existing to the curb stop of the lot, dwelling or property and only as far as the jurisdiction and responsibility of the City.

E. The City will not necessarily be required to relay the entire service pipe unless when absolutely necessary. In the event the property owner may desire a service pipe larger or smaller than the existing pipe, he will at the time make application for the same and pay the cost thereof.

F. Repairs to service pipes presently laid or to be laid will also be made to the size pipe existing at the time. Conditions as outlined under "Relaying of Service Pipes" will apply to the regulations of repairs.

G. Service pipes ranging in size from one (1") inch to and including twelve (12") inches in diameter laid according to City regulations will be either of ductile cast iron, brass or copper, tested to one hundred and fifty (150) pounds pressure. Service pipes attached to corporation cocks will range in size from one (1") inch to and including two (2") inches in diameter and will be of "K" weight copper. Sleeve and valve and tee connections will range in size from two (2") inches to and including twelve (12") inches in diameter, installed according to City regulations. They will be either of cast iron or brass with a control valve attached to the sleeve or tee connection and the casing and lid or cover brought to the level of the roadway. This is as far as the City is responsible for the maintenance of sleeve and valve or tee connections. The property owner will be responsible from this point to the next point of control, either at the curb line or inside the building or property. (13145 §1 8/6/92)

H. The sleeve and valve or tee connections, ranging in size from two (2") inches to and including twelve (12") inches in diameter, will be of even numerals of two (2") inches, four (4") inches, six (6") inches, eight (8") inches and twelve (12") inches in diameter. They will not be larger than the water main to which the attachment is made.

I. Private service pipes attached to the water mains of the City serving properties in streets, alleys, private roadways or developments in which regulation City mains are not laid at present or may never be laid due to City regulations, are subject to the regulations set forth in this Article. The City is not liable for the maintenance of such service pipes beyond the jurisdiction of the shut-off control valve in the line at either the curb line of the street or not beyond the house line of the street, alley or roadway. The service pipe continuing from the shut-off valve to the dwelling or property served, will at all times be maintained at the expense of the property owner or owners being served from this private line.

J. In the event the City may at any time install a regulation water main in any of the streets, alleys or roadways in which private lines presently exist, the private line serving the properties will be shut off at the point of attachment to the water main. All properties must pay their proportionate share of the expense of laying the City main and will at once connect to the regulation City main.

K. Regulations governing the maintenance of private service lines will apply to all properties within or outside the limits of the City not necessarily controlled by this Article.

L. Separate shut-off valves with curb boxes and lids or covers will be installed for each lot, dwelling or property served from the private line. No extensions or additions will be made from the existing service pipe other than those provided in the original agreement and intent of the same.

M. All applications for private service pipes must be made in writing accompanied by three (3) sets of drawings showing the exact location of the desired service pipe, the length and size of the same and a list of the lots, dwellings or properties to be served, giving the correct City number of each. The application must first be approved by the Bureau of Water Resources. Upon permission granted by the Bureau of Water Resources and Council, an agreement must be drawn between the applicant and the City before a permit can be issued to attach to the water main.

N. The Bureau of Water Resources will, upon notification to the users of water on all service pipes, have the right to shut off the supply of water within or outside the limits of the City, whether or not the properties served have had the permission of Council to attach to the water main prior to December 6, 1955. Water may be shut off at any time it becomes necessary, whether for repairs to that portion of the service line maintained by the City or notification by the Bureau of Water Resources to make repairs to that part of the private service pipe maintained by the owner of property attached to the leaking private service pipe and not repaired by them in the time allotted by the Bureau of Water Resources to do so, or for nonpayment of water rentals. The Bureau will have the right to limit the number of users of water on private service pipes in order to protect and assure those presently attached to the private service an adequate water supply. (7945 §6 12/6/55)

#### **923.04 CURB BOXES, LIDS OR COVERS**

A. Curb boxes will be placed not more than twelve (12") inches inside the curb line for water service directly to the property. Curb or roadway boxes to control private service lines either at the curb line or property line will at all times be kept covered so that dirt or other materials cannot have access to the curb stop or shut-off valve and thereby delay immediate access to the same in the event it becomes necessary to shut off the water supply. Interference with the lid or cover, preventing immediate access to the operation of the curb stop and creating expense for repairs, will be chargeable and collected from the owner of the property in front of which the curb box is placed.

B. The lid or cover will at all times be kept flush with the curb, lawn or sidewalk as originally placed and will not be adjusted or tampered with by anyone so as to cause or result in damages or injuries to persons. The owner or tenant of the property will not in any way whatsoever allow the lid or cover to be obstructed by any object or objects of any kind. Trees, shrubbery or objects at the curb must be placed in such a manner that the lid or cover of the curb box will at all times be plainly visible. In the event of crossovers directly over the water service and curb box lid or cover, the property owner will be held responsible for any damages arising from the same. (7945 §7 12/6/55)

#### **923.05 SEPARATE SERVICE PIPE FOR EACH DWELLING**

When a permit is issued by the City of Allentown upon application of the owner of a property applying for water service to any lot, dwelling or property, the permit will apply only to the premises designated in the permit and only for the property mentioned and will not authorize the supply of water to any other lot, dwelling or property by means of any kind of an attachment back of the curb box. (13145 §1 8/6/92)

Every dwelling or property must have its own service pipe to the water main. In the event of any building now or in the future presently being used for any other purpose than a dwelling, and being converted in such a manner as to be used for a dwelling, presently being supplied from another building on the same property, the supply of water will be cut off entirely from that dwelling or building, and a new service pipe from the water main must supply the property. The City will not grant a permit for water service under this condition until all regulations are strictly complied with. (7945 §8 12/6/55; 13145 §1 8/6/92)

#### **923.06 MULTIPLE DWELLING SERVICE PIPES**

In the event of a multiple dwelling or apartments or any other building used for dwelling purposes having a separate noncommunicating area or built in such a manner that the dwelling or property may be separated by deed to separate owners, all such dwellings or buildings must have a separate supply of water by means of a separate service pipe to each combination of units. (7945 §9 12/6/55)

#### **923.07 SIZE OF PIPES**

The Bureau of Water Resources will have the right to establish the size service pipe to be installed to any lot, dwelling or property according to the quantity of water needed to assure an adequate supply, according to the purpose for which the water is to be used. (7945 §10 12/6/55)

## 923.08 RULES AND REGULATIONS

All service pipes for the use of water, whether within or outside the City, will be laid to conform with the rules and regulations of the City of Allentown. Service pipes presently laid between the water main and the curb stop, including all private service pipes, whether within or outside the City or whether or not controlled by this Article, not having a complete service line including curb stop, curb box, control valve, lid and cover, or service pipes that do not have regulation equipment as defined in this Article, will be made to conform with the rules and regulations of the City. The owner of such property will be charged and made to pay all workmanship and materials, plus the cost of street or sidewalk permits necessary to make the water service regulation according to the Bureau of Water Resources. (7945 §11 12/6/55; 13145 §1 8/6/92)

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### ARTICLE 925 WATER RATES

- 925.01 No Free Water
- 925.02 Charges for Water
- 925.03 Fire Hydrant Standby Charge
- 925.04 Water Service Lateral Maintenance Charge
- 925.05 Penalty Charge
- 925.06 Right to Meter
- 925.07 Right to Discontinue Service
- 925.08 Administration
- 925.09 Rebates

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#### 925.01 NO FREE WATER

No person will be allowed to use water for any purpose free of charge. (11344 §1 3/12/68)

#### 925.02 CHARGES FOR WATER

A. All water taken from the City system should be metered, as provided by Article 927, Water Meters, with the exception of water used for firefighting, services, as determined by the Director of Finance.

B. Two charges shall be made for metered water service. (15033 §1 12/5/12)

1. Minimum Charge

Meter Size	Daily Charges	
	Quarterly Bills	Monthly Bills
5/8"	<u>0.27700</u>	<u>0.57378</u>
3/4"	<u>0.33964</u>	<u>0.63648</u>
1"	<u>0.46478</u>	<u>0.76508</u>
1-1/2"	<u>0.78156</u>	<u>1.08167</u>
2"	<u>1.16081</u>	<u>1.46087</u>
3"	<u>2.17315</u>	<u>2.46987</u>
4"	<u>3.31097</u>	<u>3.61087</u>
6"	<u>6.47353</u>	<u>6.77030</u>
8"	<u>10.26585</u>	<u>10.56605</u>

2. Quantity charges shall be assessed at the uniform rate of \$3.10125 per 1,000 gallons used, effective January 1, 2013.

Thus, the total charge will be the sum of the minimum charge plus the sum of the quantity charge.

(13364 §1 12/28/95; 13427 §1 12/12/96; 13724 §1 12/15/98; 13803 §1 1/1/2000; 13959 §1 12/15/01; 14035 §1 12/15/02; 14136 §1 12/12/03; 14247 §1 12/15/04; 14342 §1 12/13/05; 14442 §1 12/8/06; 14546 §1 12/7/07; 14755 §1 11/4/09; 14849 12/3/2010; 14938 12/13/2011)

C. If no meter is installed, the charge will be an amount equal to the average bill for a metered customer with the same size of service.

D. The penalty assessed on delinquent accounts will be 1-1/2% per month.

### **925.03 FIRE HYDRANT STANDBY CHARGE**

The annual fire hydrant standby charge shall be Three Hundred Ten (\$310.00) Dollars for each privately owned fire hydrant which receives water from the Bureau of Water Resources of the City of Allentown. (12700 §2 3/19/86)

### **925.04 WATER SERVICE LATERAL MAINTENANCE CHARGE**

This charge is included in the Minimum Charge set forth in Section 925.02. (12129 §2 4/7/75)

### **925.05 PENALTY CHARGE**

A. The penalty assessed on delinquent accounts will be 1-1/2% per month. (13171 §1 12/17/92; 13255 §1 4/21/94)

B. In addition thereto, any costs or fees incurred in conjunction with the collection of any such delinquencies shall be the responsibility of, and paid by, the owner(s) of the subject property. (12129 §4 4/7/75; 12869 §1 9/21/88; 13255 §1 4/21/94)

### **925.06 RIGHT TO METER**

The Bureau of Water Resources reserves the right to meter any or all consumers of water at any time it deems it necessary to do so, or at the orders of the Director of Public Works. (11344 §6 3/12/68)

### **925.07 RIGHT TO DISCONTINUE SERVICE**

Notwithstanding the imposition of the penalties provided for herein, the Bureau of Water Resources reserves the right to shut off and discontinue the service of water to any customer who fails or neglects to pay the water charge billed after the penalty date. (11344 §5 3/12/68)

### **925.08 ADMINISTRATION**

The Director of Administration and Finance is hereby charged with the administration and enforcement of the provisions of this Article. He is empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this Article, subject to the provisions of Section 121.05 of the Administrative Code, including provisions for the re-examination, correction and adjustment of bills and of payments alleged or found to be incorrect, or as to which an overpayment is claimed or found to have occurred, reasonable extensions of time upon proper cause shown, and to prescribe forms necessary for the administration of this Article. (12129 §5 4/7/75)

### **925.09 REBATES**

A. All bona fide residents of the City who are sixty-five (65) years of age or over or permanently disabled persons will be entitled to rebates from the minimum domestic water charge paid for their homesteads, in accordance with the schedule hereinafter set forth. Only one rebate will be paid for each homestead; and in the case of co-ownership, a single rebate will be paid to the co-owners jointly so long as any one of them is sixty-five (65) years of age or over or permanently disabled persons, provided that all co-owners are otherwise eligible for the rebate. (12317 §1 9/20/78)

B. Definitions for purposes of determining rebates are as follows:

1. **Income** means all income from whatever source derived, including but not limited to salaries, wages, bonuses, commissions, income from self-employment, alimony, support money, cash, public assistance and relief, the gross amount of any pensions or annuities including railroad retirement benefits, all benefits received under the Federal Social Security Act (except Medicare benefits but including supplemental Social Security payments), all benefits received under State unemployment insurance laws and veteran's disability payments, all interest received from the Federal or any State government, or any instrumentality or political subdivision thereof, realized capital gains, rentals, workmen's compensation and the gross amount of loss of time insurance benefits, life insurance benefits and proceeds (except the first Five Thousand (\$5,000) Dollars of the total death benefit payments), and gifts of cash or property (other than transfers by gift between members of a household) in excess of a total value of Three Hundred (\$300.00) Dollars, but shall not include surplus or other relief in kind supplied by a governmental agency or those rebates offered by state and local government for services supplied.

2. **Household income** means the aggregate of all income received by the homestead owner (or owners, in the case of co-ownership) and his or her spouse if a resident of the same household during a calendar year in which minimum domestic water charges are due and payable.

3. **Homestead** means a dwelling, and so much of the land surrounding it as is reasonably necessary for use of the dwelling as a home, which is owned and occupied by a claimant. A "homestead" also includes premises occupied by reason of ownership or lease in a cooperative housing corporation, mobile homes which are assessed as a realty for local property tax purposes and the land, if owned or rented by the claimant, upon which the mobile home is situated. An "owner" includes a person in possession under a contract of sale, deed or trust, life estate, joint tenancy or tenancy in common.

4. **Minimum domestic water charge** means the minimum charge per month based on the size of meter as defined in Section 925.02 as amended.

5. **Permanently disabled persons** means persons who are unable to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment which can be expected to continue indefinitely. (12317 §1 9/20/78)

C. The amount of rebates from the minimum domestic water charge paid during calendar year 1980 and thereafter will be determined in accordance with the following schedule:

<u>Household Income</u>	<u>Percent Minimum Domestic</u> <u>Water Charge to be Rebated</u>
\$ 0 to 5,999	100%
6,000 to 6,499	40%
6,500 to 6,999	30%
7,000 to 7,499	20%
7,500 to 7,999	10%
8,000 or over	No Rebate
(12433 §1 10/1/80)	

D. A claim for rebate will be filed with the Bureau of Finance of the City between May 1 and June 30 of each year. The rebate will apply to the minimum charges for the fiscal year, January 1 to December 31 immediately preceding the claim filing period. Such claims will be submitted on forms provided by the City. The Bureau of Finance may require such additional evidence as it deems necessary or appropriate in processing the claim and reserves the right to deny any claim that does not meet the requirements for rebate. The rebate will be limited to the minimum service charges paid for the applicable calendar year. The Bureau of Finance will review each claim and will verify and confirm the amount of the rebate to the extent that the claim is valid and proper. (12317 §1 9/20/78)

E. Any information gained by the Director of Administration and Finance or any other official, agent or employee of the City, as a result of any claims, investigations or hearings required or authorized by this Article, will be confidential and will not be disclosed to any person except for official use in connection with the administration or enforcement of this Article or as otherwise provided by law. (12317 §1 9/20/78)

F. Any person who wilfully makes any false or untrue statement on any claim for rebate under this Article will upon conviction before any District Justice of the County of Lehigh, be fined not more than Three Hundred (\$300.00) Dollars for each offense and, in default of payment of fine or costs, will be imprisoned for not more than ninety (90) days for each offense. (12317 §1 9/20/78)

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## **ARTICLE 927**

### **WATER METERS**

- 927.01 Rules and Regulations to Apply
  - 927.02 Right of Bureau to Meter Consumers
  - 927.03 Classification of Consumers
  - 927.04 Installation of Meters
  - 927.05 Consumers to Prepare Pipe
  - 927.06 Installation of Swing Checkvalve
  - 927.07 Placement of Meters
  - 927.08 Removal of Meters; Charges
  - 927.09 Outdoor Meters
  - 927.10 Notice to Install Meters
  - 927.11 Noncompliance; Shutting Off Water
  - 927.12 Responsibility for Repairs
  - 927.13 Failure of Meter; Estimated Bills
  - 927.14 Additional Meters
  - 927.15 Meter Testing; Deposits
  - 927.16 Water to Pass Through Meters
  - 927.17 Notification in Change of Ownership
  - 927.18 Delinquent Accounts
  - 927.19 Right of Entry
  - 927.99 Penalty
-



#### **927.01 RULES AND REGULATIONS TO APPLY**

All water meters presently installed or to be installed and the service of water through meters will be governed by the following rules and regulations, whether within the City or outside the boundaries. (6402 §2 8/1/50)

#### **927.02 RIGHT OF BUREAU TO METER CONSUMERS**

The Bureau of Water Resources reserves the right to meter any or all consumers of water at any time it becomes necessary to do so. (6402 §3 8/1/50)

#### **927.03 CLASSIFICATION OF CONSUMERS**

From and after giving of notice as specified by this Article, no water will be furnished except through meters to any consumers desiring to be served therewith falling within any of the following use classifications:

- A. Use for commercial, industrial or business purposes within the City.
- B. Use for domestic purposes in apartment houses and multi-family dwelling housing more than two families within the City.
- C. Use for any purpose outside of the limits of the City. (6402 §4 8/1/50)

#### **927.04 INSTALLATION OF METERS**

Except as hereinafter provided, the City will furnish and install all meters of the same size as the service pipe entering the building and will maintain and keep them in good repair. The Bureau may permit the installation of a meter either one size larger or smaller than the service pipe, depending upon the actual volume of consumption in the building served or any new use to which the building has been converted. (6425 §5 8/22/50)

#### **927.05 CONSUMERS TO PREPARE PIPE**

All consumers of metered water will prepare the pipe, ready for the installation, repair or replacement of the meter, as well as any stop, waste or valve required to drain it, at their sole expense. For all meters 1-1/2" in size or larger, a valved bypass will be provided at the sole expense of the consumer. Shutoff valves will be installed on the bypass piping and on the inlet and outlet sides of the meter in such a manner that the meter may be removed without disrupting service to the customer. (6402 §6 8/1/50; 12913 §1 7/12/89)

#### **927.06 INSTALLATION OF SWING CHECKVALVE**

All consumers of metered water, using steam or hot water under pressure upon the premises served, will install a swing checkvalve to be placed near the meter in the direction of the flow of water, at his sole expense. (6402 §7 8/1/50)

#### **927.07 PLACEMENT OF METERS**

When convenient, meters will be placed within the property line of the consumer, in a convenient, accessible and unobstructed location within a building. No person other than an authorized representative or agent of the Bureau of Water Resources will install, remove, inspect and change, alter or interfere with any meter or the dials thereof. (6402 §8 8/1/50)

#### **927.08 REMOVAL OF METERS; CHARGES**

A. If meters are removed, temporarily or otherwise, relocated or changed, such service must be performed by the Waste Water which will have the right to make the following charges as established in the Administrative Information Manual.

B. In addition to the above charges, Five Dollars and Fifty (\$5.50) Cents will be charged for three (3") inch and four (4") inch meters located in meter pits; the same charge will be made to have three (3") inch and four (4") inch meters reinstalled. (9191 §1 5/24/60)

C. The above charges apply only to commercial and industrial properties. (9191 §1 5/24/60)

D. The Bureau of Water Resources will not remove any meters until all meter rentals and lateral charges are paid in full. Receipts for the final reading and lateral charges must be presented before the Bureau of Water Resources will remove any of the meters. (9191 §1 5/24/60; 13145 §1 8/6/92)

#### **927.09 OUTDOOR METERS**

When not convenient to place a meter within a building, a suitable meter box or masonry pit will be built with suitable cover with lock and key, at the sole expense of the consumer. Meter Pits will conform to the dimensions and construction standards as established by the Bureau of Water Resources. (13145 §1 8/6/92)

#### **927.10 NOTICE TO INSTALL METERS**

The Bureau of Water Resources will give written notice to all consumers of water falling within the classifications set forth in Section 4 hereof, in whose premises meters have not been installed, to prepare their pipe, stop, valve or meter box, and to install or permit the installation, repair or replacement of a meter within thirty (30) days therefrom, which notice will specify the nature of such preparations generally, unless no entry to or inspection of the premises has been previously permitted. The notice may be given by service upon the consumers in the manner prescribed by law for the service of writs of summons or by registered mail at his last known address registered upon the records of the department for the sending of water rent bills. (6402 §11 8/1/50; 12913 §1 4/12/89)

#### **927.11 NONCOMPLIANCE; SHUTTING OFF WATER**

Upon failure of any consumer to prepare his pipe, stop, valve or meter box, or to permit the installation, repair or replacement of a meter within thirty (30) days after the giving of notice as hereinbefore prescribed, Waste Water will forthwith shut off the water supply of the premises at the main and will cease and desist from serving the premises with water until the provisions of the notice have been complied, and the costs of shutting off and turning on the water supply have been paid in full. (6402 §12 8/1/50; 12913 §1 4/12/89)

#### **927.12 RESPONSIBILITY FOR REPAIRS**

The consumer will, at all times, properly protect the meter from injury by frost or any other cause and loss, and will be responsible for the cost of all repairs to any meters damaged by whatever cause, and replacement of any lost meters, payable in full at the next date of issue of his water bill. (6402 §13 8/1/50; 12913 §1 4/12/89)

#### **927.13 FAILURE OF METER; ESTIMATED BILLS**

If a meter fails to register or otherwise becomes out of order, it will be replaced or repaired by the Bureau of Water Resources. The current bill will be estimated and determined by the average amount of water used in a previous corresponding period. No deduction from water bills will be allowed on account of leakage. (6402 §14 8/1/50)

#### **927.14 ADDITIONAL METERS**

In all cases where one service connection supplies two (2) or more separate consumers or a block occupied by diverse parties, only one (1) meter will be furnished for all consumers. The water rent as registered by such water meter will be chargeable to and payable by the owner of such premises or building. If additional meters are required for any building, the owner will furnish them at his own expense. Such additional meters will be of a type approved by the Bureau of Water Resources. The cost of installation and repairing will be paid by the owner. (6402 §15 8/1/50)

#### **927.15 METER TESTING; DEPOSITS**

Should any consumer doubt the correctness of the meter measuring the water delivered to his premises, he may request to have the meter tested according to the procedures and fees as established in the Administrative Information Manual. (13145 §1 8/6/92)

#### **927.16 WATER TO PASS THROUGH METERS**

No consumer served with metered water will take or receive, or permit to be taken or received, any water from City water mains into the building or fixtures for which a water meter is installed, except such water that will pass through and be registered by such water meter. (6402 §17 8/1/50)

#### **927.17 NOTIFICATION IN CHANGE OF OWNERSHIP**

The owner of a metered property will notify the Bureau of Water Resources immediately of any change of ownership of the property. The Bureau of Water Resources will read and bill the final consumption to the seller and list the buyer for future billings. (6402 §18 8/1/50)

#### **927.18 DELINQUENT ACCOUNTS**

All bills for metered water will be rendered to and payable by the owner of the property served. Whenever metered accounts become delinquent for three (3) months, the water supply to such property will be shut off at the main, and will not be turned on until all arrearages of water rents have been paid in full, together with all costs of the shutting off and turning on of the water supply. Five (5) days' notice of such action will be mailed the owner and all tenants of the property setting forth the date and approximate time the water will be shut off. (6402 §19 8/1/50)

#### **927.19 RIGHT OF ENTRY**

All consumers of water will permit the authorized agents, servants and representatives of the Bureau of Water Resources to enter upon and in the property served at reasonable times and hours for the purpose of making inspections or for any other purpose lawfully required for the carrying out of any of the foregoing provisions of this Article. In the event that any consumer will refuse or neglect to permit such entry, the Bureau of Water Resources will give notice in writing to the consumer of

its intention and desire so to do. Upon further refusal, the water supply of the consumer will be turned off at the main, whereupon the Bureau will cease and desist from serving the premises with water until the provisions of the notice have been complied with and the costs of shutting off and turning on of the water supply have been paid in full. (6402 §21 8/1/50)

#### **927.99 PENALTY**

Any person violating the provisions of this Article will be fined not more than One Thousand (\$1,000.00) Dollars or imprisoned not more than (90) days or both. (11995 §1 2/21/73)

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#### **929 WATER TAPPING FEES (14521 §1 8/16/07)**

- 929.01 Definitions**
- 929.02 Tapping Fee Required**
- 929.03 Fees**
- 929.04 Improved Properties and Exceptions**
- 929.05 Fees Due**
- 929.06 Fees to be Paid Prior to Service**
- 929.07 Review of Fees**

##### **929.01 Definitions**

- A. Cost of Existing Facilities - The historical cost of existing water system facilities trended forward to current costs using published cost indices, as set forth in the Engineering News Record, where such historical cost is available. In those cases where historical costs is not available, said cost shall be determined by a present construction cost estimate as prepared by the City=s Engineer. In calculating the cost of existing facilities as set forth herein, outstanding debt principal relating to the facilities shall be subtracted from the trended cost, provided, however, that no debt shall be subtracted which is attributable to facilities exclusively serving new customers. Any grant monies contributed to the City for construction of existing facilities by any government or agency shall also be subtracted from the cost.
- B. Design Capacity - The total capacity of the Water System of the City, measured in gallons per day, which is established at 26,000,000 gallons per day.
- C. Developer - Any person who is an Owner or who is authorized by the Owner of real property who intends to improve said real property by the construction or addition of a structure or facility which will require water supply through the Public Water System of the City.
- D. Dwelling Unit - Any room, group of rooms, house, apartment unit, trailer or other single enclosure or part thereof, occupied or intended for human occupancy as separate living quarters by a family or other group of individuals living together or by individuals living alone.
- E. Engineering News Record (ENR) - Construction Cost Index - The published index used to measure the change in costs over a specified period of time as found in the Engineering News Record magazine.
- F. Equivalent Dwelling Unit (EDU) - The daily average amount of water estimated by the City to be drawn from the Water System of the City by a Dwelling Unit on a daily basis. For purposes of this Ordinance, an EDU shall be equivalent of one hundred fifty-nine point five (159.5) gallons of water use per day.
- G. Improved Property - Any real property upon which there is erected, or upon which there will be erected, a structure intended for continuous or periodic habitation, storage, occupancy or use by human beings or animals and for which structure potable water shall be or may be drawn from the water system of the City.
- H. Non-Residential Establishment - Any property used for commercial, industrial or institutional purposes including but not limited to the conduct of trade, commerce sale, distribution of goods and/or services, manufacturing, processing, cleaning, laundering or assembling any product or commodity, schools, churches, hospitals and libraries.
- I. Owner - Any person vested with ownership, legal or equitable, sole or partial, of any real property.
- J. Projected Water Use - That estimate, as approved by the City as hereinafter provided, of the number of gallons of water to be drawn from Water System of the City on a daily basis of each improved property proposed to be connected to said Water System of the City.

- K. Water System - All water supply facilities, used for collecting, pumping, treating, transmitting, storing and distributing potable water owned and operated by the City of Allentown.
- L. Tapping Fee - A fee charged by the City for capacity related facilities only of the Water System, including but not limited to: source of supply, treatment, storage reservoirs, pumping, transmission and/or other general system facilities. Said fee shall not include charges for distribution related facilities which include water mains less than sixteen (16") inches in size, fire hydrants and other appurtenances.

#### **929.02 Tapping Fee Required**

No Developer or Owner of real property, nor any person or entity, shall connect real property with or use in any manner any part of the Water System of the City, without first making application in writing for and securing a Tapping Fee Permit from this City. Such application shall be made on a Tapping Fee Permit form to be provided by the City, and shall be accompanied by the Tapping Fees as set forth in this Ordinance.

#### **929.03 Fees**

A. The Tapping Fee to be charge to the Developer or Owner of Dwelling Units shall be determined by taking the number of Dwelling Units, as determined by the provisions of SECTION 5A or 5B of this Ordinance and multiplying that number by one hundred fifty-nine point five (159.5) gallons to arrive at the Projected Daily Water Use of water to be drawn from the Water System of the City. This Projected Water Use shall then be multiplied by an amount not to exceed five dollars and eight cents (\$5.08) per gallon to arrive at the total tapping fee, which for one dwelling unit will be \$810. See Appendix AA attached for calculation of the cost per gallon.

B. The Tapping Fee to be charged to an Owner or Developer of a Non-Residential Establishment shall be determined by taking the number of Equivalent Dwelling Units as determined by the provisions of Sections 5C through 5P of this Ordinance and multiplying that number by one hundred fifty-nine point five (159.5) gallons to arrive at the projected daily water use to be drawn from the Water System. This projected daily water use shall then be multiplied by an amount not to exceed five dollars and eight cents (\$5.08) per gallon to arrive at the total tapping fee.

C. The Tapping Fee to be charged to the Owner or Developer of a property which is connected to the Water System whenever the use of the property is to be changed or intensified to the extent that increased withdrawal from the Water System will result shall be determined by the projected increase in daily water use determined by the provisions of Section 5 of this Ordinance multiplied by an amount not to exceed five dollars and eight cents (\$5.08) per gallon.

#### **929.04 Improved Properties and Exceptions**

The number of Equivalent Dwelling Units for any given Improved Property served or to be served by the City shall be determined as follows:

- A. Residential. Improved properties upon which residential uses (other than apartments, hotels and motels) are maintained shall be charged with one (1) Equivalent Dwelling Unit for each Dwelling Unit. Additional Equivalent Dwelling Units shall be charged for any retail, service or business use which is attached to or part of a Dwelling Unit, in accordance with the other subsections of this Section 5. However, no additional Equivalent Dwelling Units shall be charged for laundry facilities provided on an Improved Property solely for the use of residents.

Apartment buildings shall be charged with eight-tenth, (0.8) of an Equivalent Dwelling Unit for each apartment unit.

- B. Hotel & Motels. Improved Properties upon which hotels or motels are maintained shall be charged with 0.2857 Equivalent Dwelling Units for each room. If self-service laundry facilities or dining or food service areas are also provided on the Improved Property, additional Equivalent Dwelling Units shall be charged as provided in subsections (C.) and (F.). No additional Equivalent Dwelling Units shall be charged for institutional laundry facilities associated with hotels or motels and which provide services solely for hotel or motel guests.

- C. Restaurants/Food Service. Improved Properties upon which restaurants and other food services uses are maintained shall be charged as follows:

- (1) Full-Service Restaurant. If the use is a full-service restaurant (one in which the utensils will be washed and reused, and patrons will eat on the premises), 0.0048 Equivalent Dwelling Units shall be charged for each square foot of gross floor area in the dining areas of the restaurant (not counting any cocktail lounge or bar areas). If cocktail lounge or bar areas are also present, additional Equivalent Dwelling Units shall be charged as provided in paragraph (4) below.
- (2) Single-Service Utensil Restaurants. If the use is a single-service utility restaurant (one in which the utensils will not be washed and re-used, but in which the majority of patrons will eat on the premises), 0.0067 Equivalent Dwelling Units shall be charge for each square foot of gross floor area in the dining areas of the restaurant.

- (3) Take-Out Restaurants and Food Catering Facilities. If the use is a take-out restaurant or other food service establishment in which the majority of patrons will not eat on the premises, or a food catering facility in which food is prepared for consumption at another location, 0.0086 Equivalent Dwelling Units shall be charged for each square foot of gross floor area occupied by the use (other than gross floor area in any incidental dining area).
  - (4) Cocktail Lounges and Bar Areas. If the use includes a cocktail lounge and/or bar, 0.0071 Equivalent Dwelling Units shall be charged for each square foot of floor area in the cocktail lounge and bar areas, including the floor area behind the bar.
- D. Beauty Shops/Barbershops. Improved Properties upon which beauty shops or barbershops are maintained (except as described in subsection (A)) shall be charged with 0.2285 Equivalent Dwelling Units for each operator's chair. Any change in the number of operator chairs on an Improved Property shall constitute a change in use or a modification of the use of the Improved Property.
  - E. Movie or Live-Performance Theatres. Improved Properties upon which movie or live-performance theatres are maintained shall be charged with 0.0005 Equivalent Dwelling Units for each square foot of gross floor area in the performance-viewing areas of the Improved Properties. If food service areas are also provided on the Improved Property, additional Equivalent Dwelling Units shall be charged as provided in subsection (C.).
  - F. Self-Service Laundries. Improved Properties upon which self-service laundries are maintained shall be charged with 0.0286 Equivalent Dwelling Units for each square foot of gross floor area in the areas open to the public.
  - G. Offices. Improved Properties upon which offices are maintained shall be charged with 0.0002 Equivalent Dwelling Units for each square foot of gross floor area devoted to office and accessory uses (including e.g., storage, filing, and supply areas, waiting areas, conference areas, meeting rooms, halls, elevators, washrooms, etc.).
  - H. Retail Stores. Improved Properties upon which retail sales uses are maintained shall be charged with 0.0002 Equivalent Dwelling Units for each square foot of gross floor area devoted to retail sales and accessory uses (including e.g., storage and supply areas, aisles, store shelves, elevators, washrooms, etc.)
  - I. Industrial. Improved Properties upon which industrial uses are maintained shall be charged as follows:
    - (1) In General. 0.0003 Equivalent Dwelling Units for each square foot of gross floor area devoted to industrial uses (including e.g., manufacturing, processing, fabrication, assembly, repair, maintenance, garage, printing, binding, and freight terminal uses) and uses accessory thereto, other than uses described in paragraph (2); plus
    - (2) Warehouse & Storage. 0.0002 Equivalent Dwelling Units for each square foot of gross floor area devoted to warehouse or storage uses (including aisles, etc.); plus
    - (3) Industrial Waste. The City Engineer shall establish the number of Equivalent Dwelling Units for such use as follows: the Engineer shall estimate the number of gallons of water which will be consumed by such use on an average day period of a year for which the total flow is greatest, and divide such estimate by one hundred fifty-nine point five (159.5) gallons, to yield the number of Equivalent Dwelling Units.
  - J. Schools.
    - (1) Day Schools. Improved Properties upon which schools are maintained (other than boarding schools) shall be charged with 0.0229 Equivalent Dwelling Units per person if the school includes showers, and 0.0109 Equivalent Dwelling Units per person if the school does not include showers.
    - (2) Boarding Schools. Improved Properties upon which boarding schools are maintained shall be charged with 0.0023 Equivalent Dwelling Units for each square foot of gross floor area in any residence hall (including bedrooms, washrooms, lounge areas, halls, etc.), plus 0.0229 Equivalent Dwelling Units per person for all other areas.
    - (3) Person. For purposes of this subsection (j), the number of persons in a school shall be equal to the maximum number of students who may attend the school at any one time as established by the Pennsylvania Department of Education, plus the number of administrators, faculty, staff, and other employees reasonably expected to be assigned to work at the school building in the event the number of students at the school is equal to the maximum permitted number of students.
  - K. Churches. Improved Properties upon which churches are maintained shall be charged with 0.0002 Equivalent Dwelling Units for each square foot of gross floor area in any worship-assembly area (including, but not limited to, nave and sanctuary areas, but not including any vestibule areas). In addition, if schools, classrooms, offices, or food service uses are located on church

property, such additional uses shall be charged with Equivalent Dwelling Units as prescribed in the other subsection of this Section E.

L. Hospitals. Improved Properties upon which hospitals are maintained shall be charged with:

- (1) In-Patients. 0.8571 Equivalent Dwelling Units for each in-patient bed the hospital is authorized to maintain. (Any change in the number of authorized in-patient beds shall be deemed a change in use or modification of use of the Improved Property; plus
- (2) Out-Patients. 0.0002 Equivalent Dwelling Units for each square foot of gross floor area in the hospital, except for in-patient rooms (rooms with beds primarily occupied by in-patients) and rooms primarily devoted to the performance of medical procedures on persons who are in-patients at the hospital. In addition, if food service uses are located at the hospital, such uses shall be charged with Equivalent Dwelling Units as prescribed in subsection (c), and the area occupied by such uses shall not be included in the calculations made under the first sentence of this paragraph (2).

M. Institutions Other Than Hospitals. Improved Properties upon which institutions (other than hospitals) are maintained (e.g. nursing homes) shall be charged with 0.3596 Equivalent Dwelling Units for each bed the institution is authorized to maintain. (Any change in the number of authorized beds shall be deemed a change in use or modification of use of the Improved Property for purposes of calculating EDU=s.)

N. Swimming Pools & Bathhouses.

- (1) Except as provided in paragraph (2), Improved Properties upon which swimming pools or bathhouses are maintained shall be charged with 0.0007 Equivalent Dwelling Units for each square foot of gross area in the building areas and/or outdoor enclosed areas devoted to the pool or bathhouse uses. In addition, any food service uses shall be charged with additional Equivalent Dwelling Units as provided in subsection (C.).
- (2) Paragraph (1) shall not apply to pools or bathhouses which are associated with residential properties and which may only be used by residents or guests of residents who are not charged an admission fee.

O. Other Uses. Whenever any use is proposed or exists on Improved Property which is not fairly described in the preceding subsections of this Section 6, the number of Equivalent Dwelling Units with respect to such use shall be determined, whenever practicable, by reference to that use (or those uses) described in the preceding subsections of this Section 6 which is most similar to the use which is proposed or exists on the Improved Property, or shall be based on patterns of water consumption for similar existing customers. Whenever it is not practicable to calculate Equivalent Dwelling Units by reference to one or more of the preceding provisions of this Section 6, the City Engineer shall establish the number of Equivalent Dwelling Units for such use as follows: the Engineer shall estimate the number of gallons of water which will be consumed by such use on an average day and divide such estimate by one hundred fifty-nine point five (159.5) gallons, to yield the number of Equivalent Dwelling Units.

P. Multiple Uses. Whenever any Improved Property shall have more than one use established thereon, the number of Equivalent Dwelling Units for such Improved Property shall be equal to the sum of the number of Equivalent Dwelling Units for each individual use (as provided in the preceding subsections of this Section E).

Q. SPECIAL EXCEPTIONS TO USE OF PRESUMED EDU=S

- (1) In General. The City recognizes that the presumptions set forth in Section 5 may not properly reflect flow rates to a given Improved Property for water. Therefore, the procedures set forth in this Section shall apply to any request to establish a different number of EDU=s for any given Improved Property, applicable to water use by special exception.
- (2) Request for Special Exception. Either the City or a person with an interest in the Improved Property may request a special exception to the presumptions of Section E. The City shall make such a request by mailing (certified mail, return receipt requested to last known address) or hand-delivering a notice of the request to the Owner of the Improved Property or his authorized agent. Any other interested person shall make such a request by filing a written notice with the City, on forms prescribed by the City.
- (3) Agreement of Owner and City. If the owner of the Improved Property and the City shall agree that the number of EDU=s which should be assigned to any Improved Property for purposes of water, should be higher or lower than the number of Presumed EDU=s under Section 5, and shall agree on the appropriate number of EDU=s the number so agreed shall be the number of EDU=s assigned to the Improved Property at that time. Any agreement under this

subsection (c) with respect to any particular situation giving rise to an obligation to make a payment to the City shall be made at or prior to the time that the payment is due to the City.

#### **929.05 Fees Due**

- A. Except as hereinafter set forth, the Tapping Fee charged pursuant to this Ordinance for each Improved Property which is to be newly connected to the Water System shall be due and payable at the time application is made to connect to the water system.
- B. In the case of a Tapping Fee charged due to a change or intensification in the use of a property connected to the Water System, the tapping Fee shall be due and payable:
  - (1) at or before the time the Owner or his agent obtains a building permit, if a building permit is required in connection with the circumstances under which the Tapping Fee is imposed;
  - (2) at or before the time the Owner or his agent obtains a zoning permit, if a building permit is not required but a zoning permit is required in connection with the circumstances under which the Tapping Fee is imposed;
  - (3) at or before the time the Owner or his agent obtains a business privilege license, if neither a building permit nor zoning permit is required, but a new business privilege license is required in connection with the circumstances under which the Tapping Fee is imposed;
  - (4) at or before the time the Owner or his agent completes his improvements, alterations, extensions, or modifications, or establishes his new use, or intensifies his existing use, if neither a building permit, a zoning permit, nor a business privilege license is required in connection with the circumstances under which the Tapping Fee is imposed.

#### **929.06 Fee to be Paid Prior to Service**

It is expressly understood that all fees charged pursuant to this Resolution shall be based upon the duly adopted fee schedule at the time of payment. It is expressly understood that no capacity shall be guaranteed for an Owner until such time as the Tapping Fees enumerated herein have been paid or secured by financial security as may be approved by the City.

All Fees as authorized to be charged pursuant to this Ordinance shall be in addition to any charges assessed against the property in the construction of a water main or appurtenances by the City as well as any other user charges, corporation stop, and sleeve and valve connection fees imposed by the City.

#### **929.07 Review of Fees**

That the City reserves its right to review the fees set forth in this Ordinance as well as the methods of calculation thereof from time to time as it deems necessary.